APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/731,892	12/06/2000	Daniel J. Miller	MS1-638US	1034

22801	7590	07/14/2004

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EXAMINER
NGUYEN, VAN H

ART UNIT	PAPER NUMBER
2126	

DATE MAILED: 07/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/731,892	MILLER ET AL.
	Examiner	**Art Unit**	
	VAN H NGUYEN	2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **3** MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-58* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☒ Claim(s) *24-30 and 55-58* is/are allowed.

6) ☒ Claim(s) *1-23 and 31-54* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date *2/6/04 and 4/8/04*.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-58 are presented for examination.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 1-14 and 31-45, and 51-53 are rejected under 35 U.S.C. 102(b) as being

anticipated by **Conner et al.** (U.S.5,421,016).

4.   As to claim 51, Conner discloses a property value-changing (*col.2, lines 6-43*)

method comprising:

        - providing one or more objects that support only static properties (*an application*

that was designed for statically defined classes; col.2, lines 22-43 and col.5, lines 30-59);

and

        - simulating dynamic properties with the one or more objects by changing

one or more property values at a pre-programmed time (*the original static method call*

can be converted to a dynamic call... this is done by replacing all the entries in the

method procedure table for the dynamic class with the appropriate redispatch stub

entries during initialization of the class object; col.2, lines 12-43; col.31, lines 5-17; and col.33, lines 6-22).

5.   As to claim 52, Conner discloses the simulating comprises pre-programming at least one property value change, a time at which the property value is to be changed, and a manner in which the property value change it to take place (col.31, lines 5-17).

6.   As to claim 53, Conner discloses the pre-programming comprises pre-programming a computer- implemented object to call the one or more objects at an appropriate time to change the one or more property values (col.31, lines 5-17).

7.   As to claim 1,it is directed to computer-implemented architecture for performing the method of claim 51, and is similarly rejected under the same rationale.

8.   As to claim 2, Conner discloses the one or more second objects are configured to maintain property data that is used to call the one or more first objects (col.7, lines 6-46).

9.   As to claim 3, Conner discloses the property data comprises at least one property value change that is to be made (col.2, lines 32-43).

10.   As to claim 4, Conner discloses the property data comprises a time at which a property value change is to be made (col.2, lines 32-43).

11.   As to claim 5, Conner discloses the property data comprises how a property value change is to be made (col.2, lines 32-43 and col.31, lines 5-17).

12.   As to claim 6, Conner discloses the property data comprises one or more of the following: at least one property value change that is to be made, a time at which a property value change is to be made, and how a property value change is to be made (col.2, lines 32-43 and col.31, lines 5-17).

13.   As to claim 7, Conner discloses the property data comprises at least one property

value change that is to be made, a time at which a property value change is to be made,

and how a property value change is to be made (col.2, lines 32-43 and col.31, lines 5-17).

14.   As to claim 8, Conner discloses one or more data structures associated with the

one or more second objects, individual data structures containing data that is to be used

by the one or more second objects to effect a property value change (col.2, lines 32-43

and col.5 lines 30-48).

15.   As to claim 9, Conner discloses the one or more data structures comprise an array

of one or more sets of data structures, each set of data structures being associated with a

property that is to be changed and containing property data that is to be used to change

property values for a property (col.4, lines 40-col.5, line 41) .

16.   As to claim 10, Conner discloses the property data comprises at least one property

value change that is to be made (col.2, lines 32-43 and col.31, lines 5-17).

17.   As to claim 11, Conner discloses the property data comprises a time at which a

property value change is to be made (col.2, lines 32-43 and col.31, lines 5-17).

18.   As to claim 12, Conner discloses the property data comprises how a property

value change is to be made (col.2, lines 32-43 and col.31, lines 5-17).

19.   As to claim 13, it includes the same subject matter as in claim 7, and is similarly

rejected under the same rationale.

20.   As to claim 14, Conner discloses Software code embodied on a

computer-readable medium which, when executed by a computer (abstract).

21.   As to claim 31, it includes the same subject matter as in claim 51, and is similarly

rejected under the same rationale. Additionally, However, Conner further discloses

effecting at least one property value change on the one or more objects that support only

static properties using the one or more programmable objects (col.2, lines 22-43 and

col.31, lines 5-17).

22.   As to claim 32, Conner discloses programming the one or more programmable

objects with property data that is to be used by the one or more programmable objects to

effect the at least one property value change (col.2, lines 6-43).

23.   As to claims 33-38, note the discussion of claims 3-9 above for rejection.

24.   As to claim 39, Conner discloses calling the one or more objects that support only

static properties with the one or more programmable objects (col.2, lines 6-43).

25.   As to claim 40, Conner discloses one or more computer-readable media having

computer-readable instructions thereon which, when executed by a computer (abstract).

26.   As to claim 41, it includes the same subject matter as in claim 31, and is similarly

rejected under the same rationale.

27.   As to claims 42-44, note the discussion of claims 4, 9, and 14 above for rejection.

28.   As to claim 45, it includes the same subject matter as in claim 31, and is similarly

rejected under the same rationale. Additionally, Conner further discloses the property

data comprising: property value changes that are to be made, time(s) at which property

value changes are to be made, and how the property value changes are to be made; and

effect at least one property value change on the one or more objects that support only

static properties by using the one or more programmable objects to call the one or more

objects that support only static properties (col.2, lines 32-43 and col.31, lines 5-17).

Claim Rejections - 35 USC § 103

29.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

30.   Claims 15-23, 46-50, and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Conner et al.** in view of **MacKay** (U.S.5,307,456).

As to claim 54, Conner does not explicitly disclose "a multi-media project editing application."

MacKay teaches a multi-media project editing application (*edit multi-media*; col.6, lines 44-51 and figs.12-13).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of MacKay with Conner because MacKay's teaching would have provided the capability for increasing flexibility of the Conner's system.

31.   As to claim 15, note the discussion of claim 54 above for rejection.

32.   As to claim 16, the rejection of claim 51 above is incorporated herein in full.

However, claim 16 further recites:

- a multi-media editing project; and

- one or more data structures associated with the one or more second objects, individual data structures containing property data that is to be used by the one or more second objects to effect a property value change.

Conner discloses:

- one or more data structures associated with the one or more second objects,

individual data structures containing property data that is to be used by the one or more

second objects to effect a property value change (col.2, lines 22-43 and col.4, lines 40-

col.5, line 41).

- As to "a multi-media editing project" note the discussion of claim 54 above for

rejection.

33.   As to claims 17-23, note the discussion of claims 9-15 above for rejection.

34.   As to claim 46, includes the same subject matter as in claims 31, and is similarly

rejected under the same rationale. However, claim 46 further recites "a multi-media

editing project."

As to "a multi-media editing project" note the discussion of claim 54 above for

rejection.

35.   As to claims 47-50, note the discussion of claims 4, 9, 5, and 14 above for

rejection.

Allowable Subject Matter

36.   Claims 24-30 and 55-58 are allowed.

Response to Arguments

37.   Applicant's arguments filed February 24, 2004 have been fully considered but they are not persuasive.

38.   In the remarks, Applicant argued in substance (1) because Conner does not disclose one or more second objects associated with the one or more first objects and configured to call the one or more objects, it cannot disclose that the one or more first objects are called to effect one or more property value changes on the one or more first objects in a manner that makes the one or more first objects appear as if they support dynamic properties (2) because Conner does not disclose or suggest providing one or more programmable objects, as the Applicant uses the term, it cannot disclose or suggest effecting at least one property value change on the one or more objects that support only static properties using the one of more programmable objects.

39.   Examiner respectfully traverses Applicant's remarks:

        A. As to point (1), the claimed features one or more first objects and one or more second objects shown by Conner in abstract and col.2, lines 6-32.

        B. As to point (1), Conner's teachings "an application designed to use static method calls to manipulate objects whose methods are only available through dynamic calls without modifying the binary image of the application... The redispatch stub invokes the objects dispatch method passing it enough information to determine the correct method procedure in a dynamic manner. The dispatch function then invokes the

appropriate method procedure and returns any return value to the redispatch stub which

returns it to the original application. Thus, the original static method call can be

converted to a dynamic call (a dispatch function call) without any change on the part of

the calling application's binary image" (col.2, lines 6-32) meets features "one or more

programmable objects" as claimed by Applicant.

Accordingly, the combination of Conner and MacKay meets the limitations as

broadly claimed by Applicant.

Conclusion

40.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of

time policy as set forth in 37 CFR 1.136(a).

41.   A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than

SIX MONTHS from the mailing date of this final action

41.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to VAN H NGUYEN whose telephone number is (703) 306-
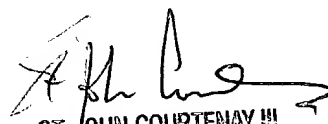
5971. The examiner can normally be reached on Monday-Thursday from 8:30AM -

6:00PM. The examiner can also be reached on alternative Friday.

The fax phone number for the organization where this application or proceeding is

assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

VHN

ST. JOHN COURTENAY III
PRIMARY EXAMINER